

AMENDMENT UNDER C.F.R § 1.116
U.S. Application No. 10/043,165
Attorney Docket No. Q68079

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claim 13 has been amended. Claims 1-3, 5, 6, 8-11, 13-15 and 18-20 are pending in the application. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein.

Objection to the Claims

Claim 13 has been objected to because of informalities. Applicant has editorially amended claim 13 as suggested by the Examiner. Thus, withdrawal of the objection to the claims is respectfully requested.

Rejection Under 35 U.S.C. § 102(e) - Hiramatsu

Claims 13-15 and 20 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hiramatsu (U.S. Patent Number 6,498,928). The rejection is respectfully traversed.

Regarding claim 13, Applicant's claimed invention relates to a method for path searching for a CDMA receiver whereby a path is detected by searching at a prescribed timing for a delay profile indicating a signal power distribution with respect to a delay time of received signal. The delay profile is divided into a plurality of regions, based on the delay time, and at least one of the regions is selected at each timing as a designated object for a signal power detection. Searching is performed, a signal power is detected within the selected region, and a signal power distribution condition is determined. A priority of a region is established in response to the signal power distribution condition. A region to be selected is designated as an object for

detecting the signal power so that the higher priority a region possessing, with the higher frequency can be designated.

Applicant respectfully submits that the disclosure of Hiramatsu does not anticipate the claimed invention. Hiramatsu discloses a radio reception apparatus which receives signals from all directions through a plurality of directivities. The radio reception apparatus generates a delay profile to each directivity and selects a path having the largest received signal among a plurality of delay profiles generated by suppressing interference signals after thus narrowing down directions. (See Abstract). All signals from directions, except for the direction to which directivity is generated, become interference signals when directivity reception is performed. The interference amount in each directivity is decreased by dispersing the interference signals by providing a plurality of fixed directivities (column 2, lines 22-31). Delay profiles generated for each fixed directivity results in narrowed down directions from which interference signals reach, thus suppressing the interference amount of the interference signals for performing the detection of reception timing or the selection of a path (column 2, lines 32-37). As shown in FIG. 3, signals isolated by every directivity are output to correlators (108-110), respectively (column 3, lines 11-12). The outputs from the correlators (108-110) are output to power detection circuits (111-113) and their power is detected (column 3, lines 27-29). The detection results are output to delay profile generating circuits (114-116) and delay profiles are generated by every directivity (column 3, lines 29-31). A determination circuit (117) receives delay profile information and determines the timing of a peak at which the reception power is largest among respective delay profiles as the reception timing (column 3, lines 31-36). Additionally, at the

same time, a determination circuit (127) determines from a delay profile generated in a delay profile generating circuit (126), the timing of a peak at which the reception power is largest among respective delay profiles as the reception timing (column 3, lines 37-58). See also column 6, lines 46-67.

Hiramatsu does not search and detect a signal power within a selected region, whereby the selected region is a designated object for signal power detection. In particular, the selected region as recited by claim 13 is selected at each prescribed timing from among a plurality of regions of a delay profile indicating a signal power distribution with respect to a delay time of received signal, the delay profile being divided into the plurality of regions based on the delay time of received signal. Contrary to the claimed invention, Hiramatsu only discloses generation of delay profiles by every directivity over all directions (column 6, lines 47-48). The delay profiles in Hiramatsu are not searched with a prescribed timing, nor are they divided into a plurality or regions based on delay time. As the Examiner has stated in paragraph 3 on page 2 of the Office Action, Hiramatsu operates to detect the timing and the direction that delay profiles become the maximum (column 6, lines 48-53). Furthermore, the delay profiles in Hiramatsu area generated by every directivity in the detection of the reception timing (column 7, lines 17-21). Thus, Hiramatsu only discusses spatial diversity with a delay profile by each directivity, but does not at all mention searching of a delay profile with a prescribed timing, the delay profile being divided into a plurality of regions based on delay time. As column 6, lines 48-53 of Hiramatsu suggest, Hiramatsu's delay profiles are generated by every directivity over all directions (fixed directivities), but there is no division of the delay profile into a plurality of

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regions based on delay time. Therefore, not all of the elements as recited by claim 13 are taught or suggested by Hiramatsu.

At least by virtue of the aforementioned differences, Applicant's claim 13 distinguishes over Hiramatsu. Independent claim 20 is a corresponding computer program claim, and is allowable for analogous reasons as discussed above. Claims 14 and 15 are dependent claims including all of the elements of independent claim 13, which, as established above, distinguish over Hiramatsu. Therefore, claims 14 and 15 are also distinguished over Hiramatsu for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e) are respectfully requested.

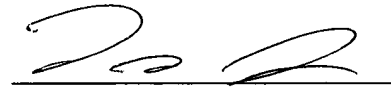
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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